

1 **BILL NO. 2008-46**

2 **ORDINANCE NO. \_\_\_\_\_**

3 AN ORDINANCE GRANTING TO WITEL COMMUNICATIONS, LLC, A LIMITED LIABILITY  
4 COMPANY (WITEL) ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF  
5 DELAWARE AND AUTHORIZED TO DO BUSINESS IN NEVADA, A NON-EXCLUSIVE  
6 FRANCHISE FOR A TELECOMMUNICATIONS SERVICE WITHIN THE CORPORATE LIMITS  
OF THE CITY OF LAS VEGAS, SUBJECT TO AND IN ACCORDANCE WITH THAT CERTAIN  
FRANCHISE AGREEMENT ENTERED INTO BETWEEN THE CITY OF LAS VEGAS AND  
WITEL; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

7 Proposed by: Mark Vincent, Director  
8 Department of Finance and Business Services

Summary: Grants to Witel Communications,  
9 LLC a non-exclusive franchise for the purpose  
10 of installing, operating and maintaining a  
telecommunications service within the City,  
subject to and in accordance with the terms and  
conditions of the Franchise Agreement  
incorporated by reference into this Ordinance.

11 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN  
12 AS FOLLOWS:

13 SECTION 1: The City of Las Vegas, Nevada, hereby grants to Witel  
14 Communications, LLC the non-exclusive right, privilege, authority and permission to install, operate  
15 and maintain a telecommunications service system in, upon, along, across, above, over and under all  
16 present and future public ways (excluding railroad rights-of-way), highways, streets, avenues and  
17 alleys within the incorporated boundaries of the City of Las Vegas, subject to and in accordance with  
18 the terms and conditions of that certain document entitled Franchise Agreement between the City of  
19 Las Vegas and Witel Communications, LLC, a copy of which Franchise Agreement is on file with  
20 the Clerk of the City of Las Vegas and by this reference incorporated herein. For the purposes of this  
21 Section the term "telecommunications service" has the same meaning as that term is defined in the  
22 United States Code 47 U.S.C. 153 (46).

23 SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or  
24 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional or invalid or  
25 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or  
26 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
27 City of Las Vegas, Nevada, hereby declares that it would have passed each section, subsection,  
28 subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more

1 sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared  
2 unconstitutional, invalid or ineffective.

3 SECTION 3: All ordinances or parts of ordinances, sections, subsections, phrases,  
4 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
5 1983 Edition, in conflict herewith are hereby repealed.

6 PASSED, ADOPTED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

7 APPROVED:

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9 By \_\_\_\_\_  
10 OSCAR B. GOODMAN, Mayor

11 ATTEST:

12 \_\_\_\_\_  
13 BEVERLY K. BRIDGES, CMC  
14 City Clerk

15 APPROVED AS TO FORM:

16 Val Steed      9-17-08  
17 Date

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1 The above and foregoing ordinance was first proposed and read by title to the City Council on the  
2 \_\_\_\_\_ day of \_\_\_\_\_, 2008, and referred to the following committee composed of  
3 \_\_\_\_\_ and \_\_\_\_\_ for  
4 recommendation; thereafter the said committee reported favorably on said ordinance on the \_\_\_\_\_  
5 day of \_\_\_\_\_, 2008, which was a \_\_\_\_\_ meeting of said Council; that at  
6 said \_\_\_\_\_ meeting, the proposed ordinance was read by title to the City  
7 Council as first introduced and adopted by the following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

10 ABSENT: \_\_\_\_\_

11 APPROVED:

12  
13 By \_\_\_\_\_  
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:  
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17 \_\_\_\_\_  
18 BEVERLY K. BRIDGES, CMC  
19 City Clerk  
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